

REMARKS

Claims 6, 9, 16, 19, and 20 are cancelled and written in independent form as new claims 21-25. Since claims 6, 9, 16, 19, and 20 were only objected to as being dependent on rejected claims, new claims 21-25 are now in condition for allowance. No new matter has been entered. Claims 1-5, 7, 8, 10-15, 17, 18, and 21-25 are pending in the present application.

Claims 1-3, 8, 10-13, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent no. 6,427,074 ("Chavez"). Applicants respectfully traverse this rejection.

Claim 1 relates to a wireless telephone device and recites "a transceiver for transmitting and receiving wireless signals" and "a control circuit for determining when said wireless telephone device is at a location where a call forwarding operation should occur." Claim 1 also recites "said control circuit automatically operating said transceiver to initiate a connection between said telephone device and a service provider when said telephone device is at said location and instructing said service provider to enable a call forwarding operation" and "further operating said transceiver to send a forwarding number to said service provider." Chavez does not disclose the claimed invention.

Chavez, by contrast, relates to "[w]ireless terminals utilized in an in-building environment [that] normally are part of the user's call coverage group." (Col. 1, lines 9-10). According to Chavez, "[i]n-building wireless telecommunication switching system 101 provides a wireless service via base stations 103-104 to wireless terminals 107-108." (Col. 2, lines 40-42; Fig. 1). Chavez discloses that "when the user inserts wireless

terminal 107 into battery charger 106, wireless terminal 107 sends a message to in-building switching system 101 informing in-building switching system 101 that it has been inserted into a battery charger," and that the in-building switching system "is responsive to the message to alter the call coverage path for the user of wireless terminal 107." (Col. 2, lines 63-67; Col. 3, line 1; Fig. 1). Chavez further states that "when plugged into battery charger 106, wireless terminal 107 sends a 'send all calls' message to in-building switching system 101 [which] responds to this message as if the user had manually caused the 'send all calls' message to be transmitted." (Col. 3, lines 11-16). Chavez also discloses that "when plugged into battery charger 106, wireless terminal 107 sends a 'call transfer' message to in-building switching system 101 . . . [which] includes the telephone number to which all calls directed to wireless terminal 107 are to be directed." (Col. 3, lines 17-24).

The distinguishing feature of Chavez is that it operates on an in-building wireless telecommunication switching system that also provides wired service to wired terminals and must be further connected to a public telephone system and cellular switching system via the public telephone system. (Col. 2, lines 40-50). In this respect, Chavez is limited to in-building applications and does not offer the full range of mobility advantages of a wireless telephone device that enables call forwarding no matter where, in any building or even city, the device is located, as in the claimed invention. Chavez *requires an in-building switching system* in order to send or transfer calls and does not disclose a control circuit "automatically operating said transceiver to initiate a connection between said telephone device and a service provider when said telephone device is at said location and instructing said service provider to enable a call forwarding operation, said control circuit further operating said transceiver to send a forwarding number to said service provider," as recited in claim 1.

Since Chavez does not disclose all the limitations of claim 1, claim 1 and dependent claims 2, 3, and 8 are patentable over Chavez.

Claim 10 recites a method of operating a wireless telephone device comprising "determining when said wireless telephone device is at a location where a call forwarding operation should occur," and "automatically establishing a connection to a service provider in response to said determination." Claim 10 further recites "instructing said service provider to initiate a call forwarding operation" and "sending a forwarding number to said service provider" during the connection. Applicant respectfully submits that Chavez does not disclose the claimed invention.

As mentioned above, Chavez is restricted to in-building applications and does not disclose a method of operating a wireless telephone device in any location other than within a specific building. Chavez requires this in-building switching system in order to send or transfer calls and does not teach or suggest "determining when said wireless telephone device is at a location where a call forwarding operation should occur," much less "automatically establishing a connection to a service provider in response to said determination," as recited in claim 10, once the device is outside of the building. Since Chavez does not disclose all the limitations of claim 10, claim 10 and dependent claims 11-13, and 18 are patentable over Chavez. Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of claims 1-3, 8, 10-13, and 18 be withdrawn.

Claims 4, 5, 7, 14, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chavez in view of U.S. Patent no. 5,953,657 ("Ghisler"). Applicants respectfully traverse this rejection.

There is no motivation to combine Chavez and Ghisler. As discussed above, Chavez relates to a wireless device that operates only on an in-building wireless

telecommunication switching system which also provides wired service to wired terminals and must be further connected to a public telephone system and cellular switching system via the public telephone system.

By contrast, Ghisler relates to a communication system having "signaling-supported-redialing whereby a traffic connection between a calling and a called subscriber is set up by first making a preparatory data-only call in order to get, via machine-readable inband signaling, alternative telephone numbers to terminals available to the called subscriber." (Abstract). The objective of the Ghisler invention is "to eliminate tromboning comprising one or several paths in telecommunication networks if calling and called subscriber agree to such elimination." (Col. 5, lines 21-25). Therefore, Ghisler operates across more than one network (and certainly outside of an in-building system) and requires participation in the Ghisler system from both the calling and called parties.

Since the Chavez device operates within a single in-building network having a predetermined call coverage path while the Ghisler device operates in any network to determine its location and associated alternative telephone numbers, there would have been no motivation to combine the two references. As such, claims 4, 5, 7, 14, 15, and 17 are patentable over Chavez and Ghisler and withdrawal of the 35 U.S.C. § 103(a) rejection of these claims is respectfully requested.

Moreover, claims 4, 5, and 7 depend from claim 1 and claims 14, 15, and 17 depend from claim 10. As set forth above, Chavez does not disclose, teach, or suggest all the limitations of claims 1 and 10. Ghisler, which has been cited merely for teaching "storing forwarding numbers in battery chargers" (Office Action at 5), does not disclose, teach, or suggest all of the limitations of claims 1 and 10 either. As such, even if Chavez and Ghisler were combined, which they should not be, they still fail to teach

or suggest all of the elements of claims 1, 4, 5, 7, 10, 14, 15, and 17. This is another reason why the rejection should be withdrawn.

Claims 6, 9, 16, 19, and 20 stand objected to as being dependent upon a rejected base claim, but are otherwise allowable. As set forth above, Applicants believe that the rejection should be withdrawn. As such, Applicants respectfully submit that claims 6, 9, 16, 19, and 20 do not depend from rejected base claims. The objection should be withdrawn and the claims allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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